

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**JONATHAN LEWIS GRIFFIN, Individually and as
Personal Representative on Behalf of the
Wrongful Death Beneficiaries of
KENDRICK LANELL WALKER**

PLAINTIFF

v.

CIVIL ACTION NO. 5:14-cv-98-DCB-MTP

**MANAGEMENT & TRAINING CORPORATION
and JOHN AND JANE DOES 1-100**

DEFENDANTS

**PLAINTIFFS' RESPONSE TO DEFENDANT, MANAGEMENT & TRAINING
CORPORATION'S MOTION FOR SUMMARY JUDGMENT**

The Plaintiffs, Jonathan Lewis Griffin, Individually and as personal representative on behalf of the wrongful death beneficiaries of Kendrick Lanell Walker, by and through counsel, file their Response to Defendant, Management & Training Corporation's Motion for Summary Judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, as follows:

1. The Defendant, Management & Training Corporation (hereinafter, "MTC"), is not entitled to summary judgment in this case. Plaintiffs have established genuine issues of material fact which preclude summary judgment, specifically as to Plaintiffs' claims of negligence and gross negligence against MTC, MTC's negligent and/or grossly negligent training or supervision, respondeat superior claims, constitutional claims, i.e. MTC's failure to protect, failure to train, failure to supervise, and failure to discipline its correctional officers, as well as the issue of punitive damages.

2. The Plaintiffs deny each and every allegation in MTC's Motion for Summary Judgment.

3. In support of their Response, the Plaintiffs rely upon their separate Memorandum Brief, as well as the following exhibits attached hereto:

NO.	DESCRIPTION
A	May 25, 2014 Surveillance Video, Wilkinson County Correctional Facility (<i>**filed under seal</i>)
B	Excerpts of Deposition of Nadia Letcher
C	Personnel File- Sharonda Amos (<i>**filed under seal</i>)
D	Personnel File- Charlis Dukes (<i>**filed under seal</i>)
E	Mississippi Department of Corrections Corrections Investigation Division Report
F	Excerpts of Deposition of Marjorie Brown (<i>**filed under seal</i>)
G	Mississippi Department of Corrections Monthly Compliance Reports, Bates No. MTC000974-984
H	Excerpts of Deposition of Captain Jamie Brown
I	Excerpts of Deposition of Major Gabriel Walker
J	Excerpts of Deposition of Captain Ella Scott
K	Excerpts of Deposition of Warden Frank Shaw
L	Surveillance Video, Wilkinson County Correctional Facility (<i>**filed under seal</i>)
M	Excerpts of Deposition of Stephen Huffman
N	MTC Emergency Plan (<i>**filed under seal</i>)
O	Expert Report, Richard Subia, October 20, 2015
P	Supplemental Expert Report, Richard Subia, January 26, 2016
Q	Deposition of Richard Subia
R	Excerpts of Deposition of Virgil Rigdon
S	Excerpts of Deposition of Deputy Warden Tyra Jackson

RESPECTFULLY SUBMITTED, THIS the 1st day of April, 2016.

JONATHAN LEWIS GRIFFIN, PLAINTIFF

BY: /s/ Charles R. Mullins
CHARLES R. MULLINS

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CERTIFICATE OF SERVICE

I, Charles R. Mullins, attorney of record for the Plaintiffs in the above-styled and referenced matter, do hereby certify that I have this date electronically filed the foregoing *Plaintiff's Response to Defendant, Management & Training Corporation's Motion for Summary Judgment* with the Clerk of Court utilizing the ECF System, which sent notice of same to the following:

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THIS, the 1st day of April, 2016.

/s/ Charles R. Mullins
CHARLES R. MULLINS